

48A C.J.S. Judges § 210

Corpus Juris Secundum | August 2023 Update

Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D.; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

VII. Compensation and Fees

C. Payment

§ 210. When payable

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Judges](#)  22(4)

The salary of a judge ordinarily is not payable until the judge has qualified; it should be paid at stated times and as required by statute.

Ordinarily, the salary of a judge is not payable until the judge has been elected or appointed and received a commission and has qualified.¹ Judges may be, and sometimes are, prohibited from drawing salaries while cases that have been submitted to them for decision for a certain number of days remain undecided.² The salary should be paid at stated times,³ as monthly⁴ or quarterly,⁵ and not at a time dependent on the approval of another official.⁶ Where extra compensation is allowed, it should be paid only after the performance of the service.⁷

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Footnotes

- 1 Neb.—Garrotto v. McManus, 185 Neb. 644, 177 N.W.2d 570 (1970).
Okla.—Hughes v. Phelps, 1951 OK 29, 204 Okla. 129, 227 P.2d 664 (1951).
- 2 Cal.—Meyers v. Kenfield, 62 Cal. 512, 1881 WL 2094 (1881).
- 3 Conn.—State ex rel. Murphy v. Zeller, 20 Conn. Supp. 417, 138 A.2d 319 (Super. Ct. 1958).
Ohio—Zangerle v. State ex rel. Walther, 115 Ohio St. 168, 4 Ohio L. Abs. 381, 152 N.E. 658 (1926).
- 4 Okla.—Fullerton v. Board of Com'rs of Comanche County, 1927 OK 235, 126 Okla. 134, 258 P. 909 (1927).
- 5 Ohio—Zangerle v. State ex rel. Walther, 115 Ohio St. 168, 4 Ohio L. Abs. 381, 152 N.E. 658 (1926).
- 6 Ohio—Zangerle v. State ex rel. Walther, 115 Ohio St. 168, 4 Ohio L. Abs. 381, 152 N.E. 658 (1926).
- 7 Kan.—Ricksecker v. Board of Com'rs of Reno County, 83 Kan. 346, 111 P. 427 (1910).

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